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**1950-51 KOREAN WAR KAESONG NEGOTIATIONS
I11 FATED- I11 MANAGED OR DELIBERATE DECEIT**

BY

LIEUTENANT COLONEL MARTIN R. ROLLINSON
United States Army

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1950-51 Korean War

Kaesong Negotiations

**Ill Fated - Ill Managed
or Deliberate Deceit**

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Martin R. Rollinson
LTC, IN
SSC Fellow

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Abstract for USAWC Research Paper, "1950-51 Korean War Kaesong Negotiations, Ill Fated - Ill Managed or Deliberate Deceit"

Prepared by LTC Martin Rollinson, Spring 1997

This research paper shows how the Kaesong negotiations served as an extremely tragic template for the armistice negotiations. Both sides initially expected the peace talks to last for only three to six weeks. Tragically, while sporadic but costly fighting continued, a final settlement was not reached until more than sixty weeks later. Initial armistice talks started at Kaesong on 10 July 1951 and lasted only until 22 August 1951. Under suspicious circumstances the Chinese-Koreans and the United States negotiators suspended talks. Not until 27 July 1953 did the United States and the Chinese-North Koreans reach an agreement. This paper explores the reasons the negotiations failed.

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The initiation of peace talks for the Korean War of 1950-1951 offers an extremely interesting look at one side (the United States of America) negotiating from what they thought was an overwhelming advantage. Across from them the Chinese also negotiated from what they believed was their overwhelming advantage¹. This research paper will show how the Kaesong negotiations served as an extremely tragic template for the armistice negotiations. Both sides initially expected the peace talks to last for only three to six weeks. Tragically, while sporadic but costly fighting continued, a final settlement was not reached until more than sixty weeks² later. Initial armistice talks started at Kaesong on 10 July 1951 and lasted only until 22 August 1951. Under suspicious circumstances³ the Chinese-Koreans and the United States negotiators suspended talks. Not until 27 July 1953⁴ did the United States and the Chinese-North Koreans⁵ reach an agreement and even this armistice did not include the South Koreans! This delay lasting

¹ This paper acknowledges the US and the People's Republic of China (hereafter referred to as China) as being the principles at the negotiation table. This is the generally accepted notion throughout all my research. Although Chinese and North Korean sources are not available, the English correspondent, Alan Winnington, who traveled with and reported for the Chinese and North Koreans in the War and was exiled from England due to his alliance, gave the Chinese-North Korean perspective. In his memoirs Breakfast with Mao he acknowledges that China controlled the North Korean side during negotiations.

p.137

² This is an important part of missed opportunities which will be dealt with later. However, see At The Barricades by Wilfred Burchett, p.164 and Decision in Korea by Rutherford M. Poats, p.204., and Truce Tent and Fighting Front, p.504

³ Controversy surrounding the dissolution of talks is discussed later in the paper. The truth may never come out. The U.S. and North Korean accounts (as reported by Burchett) are completely opposite.

⁴ "Chronology of the Military Armistice Conference", pp.229-270, in Panmunjom by William H. Vatcher, Jr.

⁵ While all of the countries of the United Nations Command were critical to the overall success of the United Nations mission, the United States was the overwhelming force, both in terms of leadership and resources in almost every action. Because of the de facto absolute power of the United States I will generally refer to the United Nations Command as United States. Instead of referring to the United States opponents in the war under the umbrella term 'communists' I will refer to them as Chinese-Korean alluding to the Chinese control over the North Koreans and the later exclusion of the Soviets. I am not in any way belittling the South Korean contribution on their restoration as a political entity on the Korean peninsula by omitting them. Unfortunately, with repercussions extending to current day troubles with North and South Korean negotiations the United States, in practice, excluded South Korea from anything but titular representation in their fate during the armistice negotiations.

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for more than fifteen months resulted in over 125,000 United Nations Command casualties and over 250,000 North Korean and Chinese casualties.⁶ Perhaps more devastating for the short and long term was the tremendous devastation of United Nations bombing in North Korea during the stalemate.

Casualties came from many different nations on both sides of the battle line. The Korean War armistice talks also involved participants from more than just North and South Korea. The United Nations Command was represented principally by the United States of America and South Korea. North Korea and China sat on the other side of the negotiating table. But foreign ministry officials of the Soviet Union and every nation with forces in the conflict 'participated' in the peace process. Lines of communication and decision making were extremely intricate on both sides. A look at the individual actors, the *players*, gives an extremely interesting insight to the peace process.

Severe casualties and eventual victory in World War II coupled with severe casualties in the Korean War could not have helped the United States' *cultural* sensitivity. United States negotiators believing in absolute American supremacy undoubtedly hindered the negotiations. On the Chinese side, their firm belief in their internal culture and politics coupled with their misunderstanding of United States foreign policy procedures must have also contributed to the stalemate in negotiations. The culture of the American society of the time could not have been further from that of China. Yet, commonalities existed and both sides missed chances to find this middle ground.

⁶ p.500-501, Truce Tent and Fighting Front by Walter G. Hermes from the United States Army in the Korean War series prepared by the Office of the Chief of Military History, Washington D.C. 1966

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Finally, the Clausewitzian 'fog of war'⁷ also greatly contributed to the failure of the Kaesong peace talks. Both sides interpreted battlefield events as they wanted to interpret them. Unquestionably, some of the *incidents* affecting the negotiations were initiated by one side or the other to gain an advantage. Yet, in war, as in any activity, events and circumstances often happen, not by deliberate design, but due to human and mechanical error along with the almost unpredictable forces of nature.

Even though the Kaesong negotiations lasted less than six weeks they set the stage for the sixty weeks of armistice talks.

BACKGROUND

World War II allied victory over Japan ended Japanese rule in Korea. As a result the United States and the Soviet Union agreed to divide administrative responsibilities for Korea at the 38th Parallel. This decision was critical to the immediate post W.W.II future of Korea and the delays in the post Korean War armistice talks. For boundaries to be distinguishable they must follow geographical features. Rivers make good boundaries. Mountains make good boundaries. Latitudes generally do not coincide with rivers or mountains and thus they do not serve to make good natural boundaries. I believe that the lack of a good boundary between Soviet occupied North Korea and United States occupied South Korea was a primary factor precipitating military conflict between the two regions. Neither side could protect its border or prevent incursions of one side into the other.

⁷ This concept will be discussed further in this paper concerning misperceptions into the cause and effect of military incidents which occurred during the negotiations.

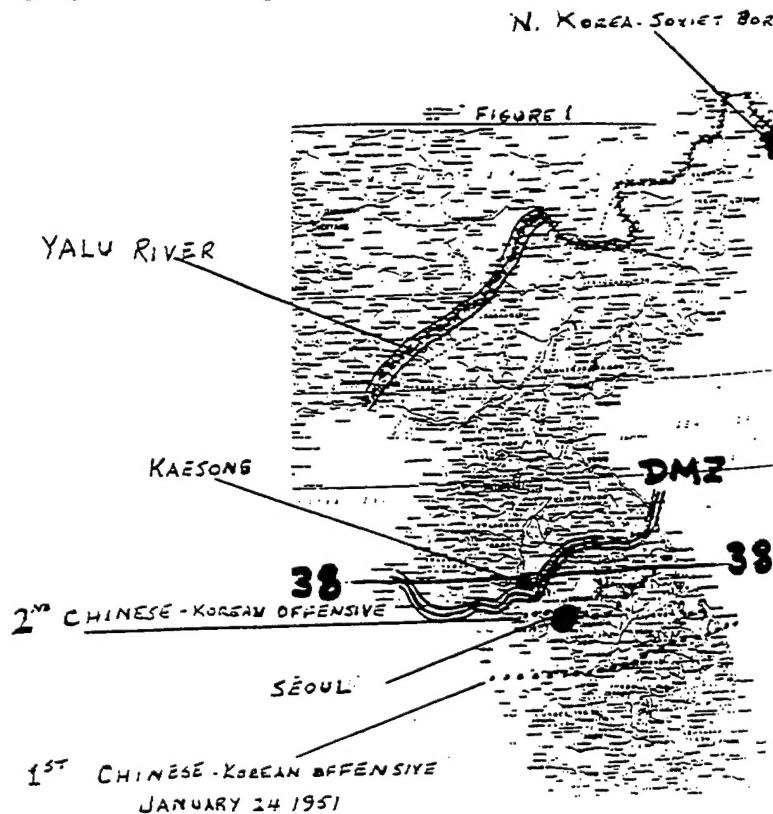
Immediately following the North Korean invasion of South Korea, and the rout of the U.S. and South Korean ground forces, the immediate goal of the United States was the protection of its soldiers and airmen remaining in Korea. During the first North Korean attack, the United States' forces were almost driven off the Korean peninsula. Following MacArthur's successful landing and attack at Inchon the US goal became restoration of the status quo, that is, driving the North Koreans back across the 38th parallel. After the tremendous success of MacArthur's offensive operations and during his 'march to the Yalu River' the US goal became one of establishing conditions for the possible reunification of Korea on US terms. Unfortunately, the disastrous consequences of conducting United States offensive operations too close to the Yalu River are well known. It threatened China, and caused their entry into the War. China's first offensive operation was tremendously successful and ended on January 24, 1951. The Chinese line of advance is shown on Figure 1⁸ (see next page). Chinese overwhelming military victory returned the American goal to one of finding a way to end the war and ensure the survivability of South Korea. While I state these cases extremely simply, they serve to provide a framework to examine the existing and relevant previous battlefield conditions when the Kaesong peace talks started.

First, examining figure 1. on the next page highlights the arbitrary nature of the 38th parallel as a boundary. Additionally it clearly demonstrates the depth with which an attack toward the Yalu River by the United States threatened China. Finally, the sketch

⁸⁸ Outline of Korea and highlighted topography from Rand McNally International Atlas. Chinese Attack Limits of Advance taken from "The Relationship Between Combat and Peace Negotiations: Fighting While Talking in Korea, 1951, 1953" by Wilfred A. Bacchus, Orbis, Quarterly Journal of World Affairs, Volume XVII, Number 2, Summer 1973,

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shows that geography did not support any Soviet Union hopes of hegemony over the Korean Peninsula. The Soviet Union did initially lay claim to North Korea by virtue of Soviet participation in World War II. However, their almost nonexistent common border highlights their weak position..



Casualties⁹ (non cumulative)

Chinese-Korean and United Nations Ground Forces,

June 1950 to July 1951

	June 25 1950	mid-Aug 1950	mid-Oct 1950	Nov 25 1950	July 10 1951
Chinese-Korean	135,000	105,000	90,000	480,000	460,000
United Nations Command	65,000	92,000	190,000	360,000	550,000

⁹ From United States, Department of the Army, Korea--1950 (Washington: Office of chief of Military History, GPO, 1952), p. 151

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The post W.W.II division of Korea along the 38th parallel divided it in a way that made the boundary between North and South Korea almost indistinguishable and indefensible. Even if the Soviet Union and the United States had used all of their resources to patrol the 38th parallel as a border it would have been almost physically impossible to maintain. Thus, one of the basic requirements of a Nation State, that of having the ability to maintain its borders was impracticable for either North or South Korea. While it is arguable whether any forcible division of Korea resulting in competing political factions could have avoided civil war, it is certainly true that the 38th parallel did not facilitate political or military security for either state.

As stated previously, Figure 1. also demonstrates the seesaw nature of the Korean War in its final stages. After both the Chinese attack culminating on January 24, 1951, and their attack ending on May 19, 1951, the United Nations Command forces counterattacked back to the general area of the current demilitarized zone. The casualty figures in the months prior to the Kaesong negotiations followed the diagram.

Perceived Negotiating Strength

After the last major Chinese offensive stalled with only limited gains in May 1951, the United Nations Command had overwhelming air superiority. Additionally the United Nations Command naval forces maintained complete dominance on both the east and west coasts of Korea. Both the United Nations Command air and naval forces were able to provide unhampered and total support for current and future ground operations.

After stabilizing the line of contact vicinity the current demilitarized zone, United Nations Command forces rightly felt that they had the overwhelming military advantage.

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While the United Nations Command western forces were located below the 38th parallel, their forces in the east were well above the 38th parallel (Figure 1). Forces on both sides occupied defensive positions on terrain critical to military victory. The arbitrary dividing line of the 38th parallel gave way to a very real, though not officially pronounced, and definitely not demilitarized, line between the opposing forces. United Nations Command forces believed in, and proved through local combat, the defensibility of their positions. The United States believed in the strength of their position because it came through victory in prolonged combat.

Victory through prolonging combat is also how the Chinese-Koreans saw their strength. They had proven their mettle in two major offensive operations which had sent the great American General MacArthur back to the United States and then reasserted the Chinese-North Korean forces by attacking to the South Korean capital of Seoul in their second offensive. Furthermore, the Chinese-Korean's greatest asset was a seemingly endless supply of soldiers, with a collective will to fight. Conversely the lack of an unlimited, determined force was the United Nations Command's greatest liability. Public opinion in the United States and the countries with committed forces overwhelming called for their soldiers return to their homelands..

Another key component to Chinese-Korean perceived strength was the fact that the status quo before the war had been the arbitrary 38th Parallel boundary between North and South Korea. At the start of the Kaesong negotiations the United Nations Command forces held militarily important land above the 38th in the east, Chinese-Korean forces held ground below the 38th in the west. The Chinese-Koreans also must have believed

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that a peaceful return to the status quo was what the United Nations Command desired. Like two antagonists pitted against each other by the gods of war, the United States and the Chinese-Koreans seemed like ill fated opponents in their individual belief of the 'rightness' of their position.

This was the background and sources of perceived negotiating strength of the opposing forces in Korea¹⁰. The United Nations Command offensive operations ending around June 24, 1951, set the conditions to allow the international players to play their instruments as the peace overtures began. As will be shown later, these perceptions significantly contributed to the missed opportunity for reaching a settlement in the Kaesong Negotiations.

Playing the Peace Pipes

As in all negotiations, both sides understood the relative advantages and disadvantages of being the first to sue for peace. As the United Nations Command forces began to reestablish military superiority for what turned out to be their last drive to the eventual demilitarized zone, the United States State Department looked for a way to open dialogue toward ending the war.¹¹ Even though unofficial and not widely publicized, the United States through George Kennan made the first move toward peace by contacting the Soviet United Nations ambassador, Yakov Malik. Malik later made the well-known pronouncement through a United Nations radio program that the Soviet people believed

¹⁰ This paper will not deal with the strategic implications of the atomic bomb and US worries of Soviet large scale military involvement

¹¹ In December of 1950, according to Goulden, in Korea The Untold Story of the War, p.548, the Chinese may have attempted unofficial contact with the United States in order to prevent the United Nations General Assembly condemnation of China for their participation in the war. Pages 551-556 depict in much greater detail the scenario recounted in this paper.

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that the Korean War could be settled. Continuing he said, "The Soviet people believe that, as a first step, discussions should be started among the belligerents for a cease-fire and an armistice providing for mutual withdrawal from the 38th Parallel." After Malik's pronouncement many people believed that the Chinese-Koreans through the Soviets were the first to 'blink' in what was becoming the Korean stalemate. Furthermore, Malik's use of the 38th Parallel as a line for cease fire and withdrawal may have come from Secretary of State Dean Acheson's statements during the MacArthur hearings on June 2nd when he made a vague statement to the effect that the United States was seeking a withdrawal and cease-fire along the 38th Parallel. Again, the United States gave the Chinese-Koreans the false perception that the United States was willing to return to the pre-war status quo.

Negotiators on both sides apparently prepared for the peace talks with imperfect information. The Chinese-North Korean side seemed to have the notion that the United States might settle for a cease-fire along the 38th Parallel. The U.S.-South Korean side seemed to believe that their enemy had been defeated militarily.

The PLAYERS, Pride and Prejudice

Following MacArthur's relief, GEN Ridgway assumed command of United Nations Command forces. By virtue of this position he unilaterally named all members of the United Nations negotiating team. Interestingly, Ridgway had told one of his associates that to head the team he wanted an 'adversary' type person, someone "who can sit for six hours and neither blink nor think of taking a break for a pee." Even though good bladder control could not have been the primary reason that Ridgway chose United States Admiral C. Turner Joy to lead the delegation. Admiral Joy was a well-decorated veteran of W.W.II, as were all the other members of the delegation. In particular Admiral Joy had a

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reputation as "such a ferocious, tenacious man in an argument that the Far East Command eventually selected him as the chief United Nations negotiator when peace talks began with the Communists. He did not give away anything at the bargaining table."¹²

In general, United States military officers are extremely mission oriented. While flexible on the battlefield, they operate under inflexible constraints. Failure to stay 'within the lines' easily can result in disastrous defeat. War particularly hardens combatants. Throughout Admiral Joy's book, How Communists Negotiate, he refers to mainland Chinese, North Koreans, and Soviets alike with the term 'communists'. In this book recounting his participation in the Kaesong Negotiations Admiral Joy espouses the common view that the communists are monolithic in thought as well as political dogma. While today, his account seems almost tragically comical in his disdainful descriptions of his negotiating adversaries, Admiral Joy does at times pay the Chinese-Korean officers backhanded compliments in his book. While writing that:

The Communist system of negotiating does not depend critically on the individuals involved. Their method is a dogma followed slavishly by each of their representatives.

Joy counters the negative connotation of 'slavishly' by continuing:

None the less, any extended negotiation will be marked by occasions when doctrine does not apply perfectly, and a degree of ingenuity will be required of the participants. Knowing this, the Communists are quite careful in the selection of their negotiating teams. Force of intellect is the primary consideration. Reputation, rank, and position are of secondary consideration to the Communists in choosing the members of their delegation.¹³

¹² Goulden p.202, composition of the negotiating team, pp.559-563

¹³ Joy, p.10

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While not explicitly despairing that in the United States military 'reputation, rank, and position' were extremely important in the selection process of the United Nations team, Admiral Joy does seem to be complimenting the Chinese-Koreans on their choice of negotiators. I am sure that at some level of Admiral Joy's evaluation of the 'Communists' there must have been a great deal of admiration for the selection of their negotiating team, regardless of 'reputation, rank, and position'. In the U.S. military system, 'reputation, rank, and position' are tremendously important considerations that are very seldom discounted.

Nevertheless, Admiral Joy, despite his begrudging compliment continually displayed his prejudice against the North Koreans. He described an incident which he used to deride the North Korean general, Lee Sang Jo. This warrior was educated in China, and allegedly a very pro-Soviet delegate of the negotiation team. The particular area of Korea during the time of the Kaesong negotiations, especially in that region near the river has an overabundance of flying insects. Admiral Joy at one point writes that General Lee Sang Jo seemed to want to demonstrate supreme self control and discipline by not swatting away flies that landed on his face during the negotiations. Admiral Joy concluded that it did not demonstrate any great self control by General Lee Sang Jo, but that "...he was simply accustomed to having flies on his person."¹⁴ Clearly Admiral Joy is demonstrating how the adversarial nature of the negotiations affected him. In the United States military at that time, and to a lesser extent now, such self discipline was not only lauded but expected in certain situations. The head of the U.S.-South Korean delegation was exhibiting the "tendency to denigrate the qualities of his adversary, even though he

¹⁴ Joy, p.14

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also had the same qualities".¹⁵ It seemed as if Admiral Joy, who had been partially picked due to his ability, as General Ridgway put it, to "...sit for six hours and neither blink nor think of taking a break for a pee." was being 'outsat'.

While nominally chief, General Nam Il was not the main power in the Chinese-Korean delegation¹⁶. Manchurian General Hsieh Fang, the former chief of staff of the Chinese military forces in Korea was the de facto head of the Chinese-Korean team. Both of these officers were well educated in their military, having completed at least part of their civilian and military education in the Soviet Union. Additionally, one of Chou En-lai's inner circle of advisers, Chiao Kuan-hua traveled to Kaesong but stayed out sight and (presumably) unknown to the U.S.-South Korean negotiators. The presence of this proxy of Chou En-lai's both demonstrated the Chinese-Korean desire to conclude negotiations and ensured that the negotiation team stayed on track. None of the players on either team worked open or malicious deceit in an attempt to gain position advantage in the negotiations.

Although there were other lesser members of both 'official' delegations¹⁷, some of the most critical team members in terms of actual negotiating and keeping the talks on track were not 'official delegates'. They were considered staff and translators. For the

¹⁵ Prof. Salacuse in a comment on my original paper.

¹⁶ Both Breakfast with Mao, p.137 by Alan Winnington and At the Barricades, p.165 by Wilfred Burchett confirm Chiao's presence and power over the negotiating team. These two accounts are often in complete disagreement with United Nations accounts. However, they both offer their unique perspective, that of the Chinese and North Korean in the Korean War. Without access to 'official' Chinese and North Korean and limited Chinese and Korean language ability their memoirs are very probably much more biased than the United Nations accounts. Of the two, Burchett seems much more objective. Interestingly, neither was listed in Ginn Library's The Korean War, an annotated bibliography, by McFarland.

¹⁷ Hermes, Truce Tent and Fighting Front has the most complete description of the official negotiating delegations on both sides, complete with pictures of both sides.

United Nations side, other than Admiral Joy, the two most important members of the delegation, albeit unofficial, were the Underwood brothers.¹⁸

CULTURAL CONSIDERATIONS

The Underwood brothers were unique and truly a major advantage for the United Nations delegation. Both are relatives of the Underwoods of typewriter fame, but their advantage lay in their immediate family's long (over 68 yrs) and close history with Korea. Sons of Korean missionaries, they were fluent in Hangeul, the Korean language. Most importantly they were fluent in the Korean culture and nuances of each sides' verbal and non verbal communication. Although their mother was murdered in 1949 by a communist assassin at the Chosun University in Seoul, by all accounts they maintained a positive approach toward all Koreans. Their father had served as the president emeritus of the Chosun University. When the Korean War started the brothers enlisted in the U.S. military. While serving as officers in the United States armed forces, one in the navy and one in the army, they avoided the shared hardships, dangers, and cruel killing forced upon the young of both sides. Thus, they must have also been able to avoid much of the psychological transformation required to dehumanize your foe before killing him.¹⁹ The ability to isolate emotions and any antagonism toward your negotiating partner is critical in adversarial talks. Unfortunately as mentioned earlier and again below this trait appears to have been missing in the U.S. camp.

¹⁸ "Brother Act at the Truce Talks" by Greg MacGregor in *Collier's*, February 16, 1952, pp.42-44. Crowell-Collier Publishing Company, NY 1952 offers the fascinating account summarized here of these two brothers and their invaluable help during negotiations.

¹⁹ Although I have not served in combat, I am an infantry officer commissioned through West Point in 1976 and have undergone and provided rigorous combat training to include earning my Ranger Tab.

The Underwood's skill at the negotiation table is reflected in an incident when a senior United States delegate frustrated with a Chinese-Korean indecision on an issue told one of the Underwood brothers to "Tell them that the Communist mind changes like a weather vane!". Weather vanes are not common in Korea. There is no exact translation for that term or for the expression. Instead Lieutenant Underwood translated, "The United Nations delegate wishes to tell you that a woman's mind changes like grass in the wind--and the Communist mind is the same." This translation had the desired effect on the Chinese-Korean officers causing them to flush in their discomfort. Yet this also demonstrates the criticality of language in negotiations. In this case the translator apparently understood the U.S. officer's intent to cause discomfort. However, such a comment may have also been intended to show U.S. frustration in dealing with the Chinese-Korean negotiating side.

The Underwoods were a success story for the United States negotiating team. However, their abilities were one of the few successes on the U.S. side during the peace talks. Personal biases and prejudices must have severely hindered the military officers' objectivity in discussions. The English journalist who lived with and wrote from the Chinese-Koreans perspective, Alan Winington, wrote that the United States military delegates in private referred to the Chinese and Koreans as 'chinks' and 'gooks'²⁰. Then, as now, these terms reflected extreme prejudice against Asians. American bias must have hurt their ability to negotiate. While in general citizens are prejudiced for 'their own kind' and against 'different' races, W.W.II probably further darkened U.S. prejudices against all

²⁰ One of the origins of the very derogatory term 'gook' is the Korean 'kuk' or 'guk' meaning nation. America is meiguk in transliterated Korean. p.129 Winington and the Boston Public Library telephone reference desk.

Asians. Adding to the comparative disadvantage that United States prejudices and biases brought to the negotiating table, there were very little, if any manifestations of anti-United States bias by the Chinese-Koreans at the negotiating table. There were many disagreements and often personal comments which the Chinese-Koreans directed against the Americans. But none of them reflected any racial bias or prejudice. This was apparently not true of the North Korean sentiment toward the South Koreans. At one point early on in the negotiations, North Korean General Lee Sang Jo wrote a note, referring to the South Koreans, to General Nam Il in letters large enough for the United Nations Korean delegate to read, which read, "these imperialist errand boys are lower than dogs in a morgue." This is a supreme insult for a Korean. The United Nations Korean delegate nearly lost control²¹. Although he managed to restrain himself, his agitation demonstrated that the remark may have had the Chinese-Korean desired effect of disturbing the United Nations Korean delegate's mental state. This may have been a deliberate incident by the Chinese-Koreans to affect the negotiations. However, I believe that other incidents which the United Nations Command attributed to deliberate design by the Chinese-Koreans were caused more by the 'fog of war' than anything else.

INCIDENTS AND MISSED OPPORTUNITIES

The tragedy of the Kaesong negotiations is that they started the Korean War armistice negotiations off with each side misinterpreting the other side's BATNA.²² Each side also apparently misinterpreted its own and its opponents perceived strengths and weaknesses. Admiral Joy was, and remained when he wrote his memoirs after the war,

²¹ Joy, p.16

²² I do not believe that either side thought that the Best Alternative to the Negotiated Settlement for the other side would be a continuance of the War.

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absolutely convinced that the Chinese-Koreans initially sued for peace. He firmly believed that the Chinese-Koreans, through the Soviet Union, called the United Nations Command to the negotiating table.²³ This firm belief must have influenced all of his actions and reactions to the Chinese-Korean delegation. Had Admiral Joy been armed with the basic understanding that while peace was beneficial to both sides, the Chinese-Koreans had not initiated the armistice talks, then he certainly would have reacted differently towards the Chinese-Korean demands.

By virtue of his mandate from General Ridgway, Admiral Turner could not have capitulated on key issues. He could not independently change the United States proposed cease fire line for the withdrawal of troops. But had he understood the Chinese-Korean motivation and their perceived position of strength then he certainly would have been more willing to search for alternative options. Most importantly, his initial contact with the Chinese-Korean delegation would have been made in better faith. There is no reason not to believe that initial negotiations at Kaesong would have been much more productive had Admiral Joy known that the United States had been the first party to look for peace and that Secretary of State Dean Acheson had made a statement about the viability of the 38th Parallel as a cease fire line. In this case the U.S. negotiators did not know all the facts. Admiral Joy's perceived sense of truth colored not only all his actions, but also his poor understanding of Chinese-Korean actions. The Kaesong negotiations lasting only six weeks could not have been more disastrous without physical injury to the negotiators.

On the Chinese-Korean side, a better understanding of United States politics and interests would have made them see that the 38th Parallel could never be acceptable as the

²³ Joy, p.165

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demarcation line or as a basis for a cease fire and demilitarized zone. More importantly they would have realized that Secretary of State Acheson's comments at MacArthur's hearings did not indicate, in any way, shape or form, a proposal for a cease fire at the 38th Parallel. Thus when the Soviets approached the Chinese-Koreans for a possible armistice, the Chinese-Koreans could have rejected the proposal outright and continued to fight to improve their position. Alternatively they could have decided to negotiate, understanding that the final demarcation line would be a key element in the negotiations. In a mediation exercise that I was involved with one side entered with an extreme position which they later explained was not what they expected to achieve, but was proposed as a method to increase their zone of possible alternatives. However, their extreme position only caused the other side to harden its resolve and focus on this one issue, instead of searching for possible alternatives. In the case of the Kaesong Negotiations either the U.S. position that it would NOT consider the 38th Parallel or the Chinese-Korean position that the 38th Parallel MUST be considered as a start point for a cease fire clearly had the effect of ending the negotiations as opposed to widening either sides zone of possible alternatives..

Clearly these 'cross wires' did not occur through the action or inaction of the negotiating teams. In a sense the delegations were 'ill fated'. Both teams went to the negotiation table with imperfect information. From the outset each side's interests were not clear to the other side. The United Nations delegation, as is clearly recorded, was convinced that the Chinese-Koreans did not want peace. Although not definitively, both Chiao Kuan-hua's comments²⁴ and his position in the Chinese hierarchy indicate a definite

²⁴ Burchett, p.164

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desire for a quick peace. He left China for the Kaesong negotiations expecting to be done in three weeks. It was inconceivable for this disciple of Chou En-lai to believe that *after* the aggressive General MacArthur had been relieved, *after* America's Secretary of State had suggested a cease fire line at the 38th Parallel, and even *after* the United States government initiated contact (albeit unofficial) with the Soviet Union that the negotiations would not end quickly and favorably for the Chinese-Koreans.

While cross cultural understanding is not a panacea for misunderstandings, better knowledge and familiarity with the nuances of cultural negotiations can critically help or hurt the negotiating process. During initial coordination for the actual negotiations the United States advance team sat at the north side of the negotiation table. Apparently, this caused great agitation for the North Koreans. According to Admiral Joy the 'north' end of the table is reserved for the victors.²⁵ When the full United States-Korean delegation returned for talks the next day, they were channeled into the 'south' end of the table. Had the United States advance party been fluent in this aspect of negotiations they might have been able to suggest that the two parties sit on the 'east' and 'west' sides of the table, or found some other alternative that would allow both sides to save 'face' and energy on a minor (to the United States perspective) point.

Another attempt to gain a 'negotiating advantage' which backfired occurred when the Chinese-Koreans deliberately lowered Admiral Joy's seat to an absurdly low level making him appear much smaller than his Asian counterparts.²⁶ While in some respects the Chinese-Koreans won the 'battle' for propaganda pictures by their newsmen showing

²⁵ Joy, p.3

²⁶ Joy, p.4-38. Incidents recounted, unless otherwise specified come from Admiral Joy's book.

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the Americans in a subservient position, they certainly lost the 'war' for respect as serious negotiators by their American counterparts.

In regard to newsmen, the American military distrust of newspeople, along with the uncertainty of the military situation was probably the reason that the United Nations war correspondents did not accompany the delegation for their historic first meeting on 10 July. This resulted in a one sided propaganda coup for the Chinese-Koreans. When Admiral Joy told General Nam Il, the nominal chief of the Chinese-Korean contingent that United Nations journalists would accompany them for the next day's session, General Nam Il initially agreed. However, for whatever reason, an hour later General Nam Il withdrew permission for the United Nations newsmen to come to the session. (Kaesong was physically located just north of the military line of contact, in Chinese-Korean held territory.) Admiral Joy, speaking on behalf of General Ridgway, the United States and United Nations Command forces commander replied that the United States would suspend talks until the Chinese-Koreans granted permission for newsmen to accompany the United States delegation. The next day when the United States delegation did not receive word from the Chinese-Koreans that they would allow the United Nations journalists into Kaesong, the entire American delegation boycotted. Immediately, the Chinese-Korean side sent a message to United Nations Command allowing United Nations journalists into the Kaesong area and making other, not explicitly expressed, but United States delegation desired, changes.

Again, hindsight is always perfect, but the Chinese-Koreans missed a perfect opportunity to establish both a propaganda victory and goodwill through their own

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photographers. Had the Chinese-Koreans taken a number of neutral pictures, showing neither side at an advantage, along with Chinese-Korean propaganda pictures, they could have given the neutral film to the American delegation. Had the United States allowed these pictures to enter newsprint it would have been an even greater propaganda victory for the Chinese-Koreans. They could have demonstrated their openness and desire to end the war as quickly as possible. Additionally, after the first day's propaganda victory, the Chinese-Koreans should have recognized that they could not legitimately prevent United Nations newspeople from the Kaesong area. By co-opting the United Nations journalists the Chinese-Koreans might have been able to overcome some of the journalists' prejudices and influence world opinion in favor of the Chinese-Korean cause which had been hurt when the United Nations labeled the Chinese as an aggressor in the war.

Seemingly not worthy of mention in this paper is the Chinese-Korean response to the American delegation's placement of a small mounted United Nations flag on the conference table. But this incident does serve to illustrate the perceived and real importance of physical arrangements in a negotiation. After a break in deliberations the Chinese-Koreans brought in a North Korean flag on a stand which stood six inches higher than the United Nations flag. Admiral Joy refused to get into a battle of dueling flags and he recalls the incident with amusement. Nevertheless this must certainly have added to his disdain for his negotiating opponents.

Admiral Joy maintains that the Chinese-Koreans created all incidents to give them a negotiating advantage. Understanding the military theorist Clausewitz's principle of the 'fog of war', Admiral Joy must have known that many of the mistakes and errors of war

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are not created deliberately²⁷. Even more practically, after a long and illustrious career including service in W.W.II Admiral Joy must have witnessed more than a fair share of mishaps and circumstances gone awry. He had to know that even in the best of circumstances events that are planned perfectly are not always executed perfectly. For Admiral Joy to place responsibility on every incident, which he seems to do in his book, squarely on the Korean-Chinese shoulder is similar to current day cries that as the sole surviving 'super-power' America is both the cause and effect of almost all 'world events'. Undoubtedly, some, and possibly many, of the incidents which Admiral Joy writes about in his book were deliberately caused by the Chinese-Koreans to create a negotiating advantage. However I cannot 'credit' the Chinese-Koreans with the degree of control of events in a war zone which Admiral Joy does.

I suspect that Admiral Joy's allegation that on the morning of August 4th a company of Chinese combat troops deliberately interrupted the American delegation's convoy is an example of war's 'friction' and 'fog'. As the U.S. delegation was moving to the negotiation site it literally 'ran into' a column of Chinese foot soldiers. This was more a case of some poor junior Chinese officer mistakenly taking a path that intersected the vehicle convoy's route than it was any sort of nefarious plan. It is not easy to turn a column of a hundred men. Nevertheless, Admiral Joy was convinced that the interruption was intentional. Additionally, he noted that the troops were too heavily armed for a 'neutral' area. One of the rules of the negotiating site was that it would be free of heavy

²⁷ Clausewitzian 'fog of war' is an oft quoted phrase which often serves as a panacea for military mistakes. While the theory of 'friction' and the 'fog of war' do not fit exactly in these incidents, poor communications and command and control, components of 'friction' and the 'fog of war' are very applicable.

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machine guns. The Chinese column included such machine guns. Admiral Joy succeeded in getting General Ridgway to suspend the talks until the Chinese-Koreans agreed to make the Kaesong negotiating area truly free of such weapons. After five days, the Chinese-Koreans pledged to keep the Kaesong area, a city behind their military lines, completely neutral. At the same time that the Chinese-Koreans 'requested' the return of the American delegation they broadcast over the Chinese-Korean propaganda radios that they were 'demanding' the return of the American delegation. General Ridgway again stopped the United States delegation from returning until he extracted further assurances that the Chinese-Korean delegation would not abuse the 'privilege' of hosting the negotiations on their 'home turf'. As Admiral Joy writes, "At the last the Communists were almost literally on their knees, begging the return of the United Nations Command delegation." The Chinese-Koreans were made to forfeit enormous prestige - to lose major face - in order to get the negotiations back on track.

Prior to the start of negotiations, Admiral Joy and the entire United Nations delegation were given instructions on the importance of 'face' for the Chinese-Korean side. They even initially looked for ways to concede points to the Chinese-Koreans. This was, of course, when they thought that the Chinese-Koreans were the ones who had sued for peace. Later in negotiations, Admiral Joy's position hardened. In his book he emotes an almost perceptible desire to tear down the Chinese-Korean negotiation team. This is understandable in light of his belief that the Chinese-Koreans were using the negotiations only as a delaying tactic to gather strength and prepare for offensive operations.²⁸

Admiral Joy understood very well that the current Chinese-Korean situation

²⁸ Joy, p.32

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favored their resupply while they were on the defense. The Chinese-Korean supply lines in terms of equipment, supplies, and forces were relatively short and could be used to Chinese-Korean advantage in initiating a surprise attack on United States forces. Admiral Joy's frustration due to the stalled talks combined with his firm belief that the Chinese-Korean negotiators were delaying the talks. He believed that they were doing this solely to gain an immediate tactical advantage. Admiral Joy believed that the Chinese-Koreans were preparing for future operations which would lead to a strategic victory on the Korean peninsula.

At this point Admiral Joy's complete distrust of the Chinese-Korean intentions manifested itself in his belief that the Chinese-Koreans changed their tactic of self prestige building to one of United Nations Command prestige destroying. Admiral Joy truly believed that the Chinese-Koreans planned to instigate incidents to destroy the United Nations Command's reputation. He believed that their goal was to undermine world public opinion in favor of United Nations involvement on the Korean Peninsula..

The first incident bolstering Admiral Joy's belief occurred when a Chinese-Korean patrol boat was ambushed, killing the boat commander. The combined investigation indicated that the attackers did not wear conventional military uniforms. Admiral Joy concluded that South Korean partisans attacked the patrol boat. Additionally, in his book he the proposal of some his staff that the Chinese-Koreans instigated the attack on themselves as a way to weaken world support for United Nations involvement..

Accepting Admiral Joy's theory that South Korean partisans attacked and killed the patrol boat commander, why is Admiral Joy surprised that the Chinese-Koreans hold the

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Americans responsible? Rather than an outrageous notion, it is perfectly understandable for the Chinese-Koreans to believe that even if they Americans cannot control the actions of the South Korean partisans, they must have some information or intelligence about their planned actions.

Again, I do not fault the Americans for their failure to control South Korean partisans. This was another example of the "fog of war" at work. Undoubtedly such partisan actions had also killed United Nations troops in the past. I do, however, attribute the horrible relations at the time of the patrol boat between the American and Chinese-Korean negotiators as due to the compounding of misunderstandings built upon the initial mis-signals of American versus Chinese-Korean interests associated with ending the fighting.

The final incident resulting in the cessation of the Kaesong 'negotiations' also does not demonstrate clear cut responsibility. At midnight on 22 August the Chinese-Korean delegation's liaison officer called the American team's liaison officer to answer allegations that an American plane had tried to bomb the Chinese-Korean delegation. The American liaison officer happened to also be an aviator. The American liaison officer apparently reported to Admiral Joy that the Chinese-Koreans fabricated evidence to bolster their claims of an American bomber attack. At 3:00 AM, early in the morning, standing in the rain, the American liaison officer reportedly asked that the investigation continue after daylight. According to Admiral Joy, from the American liaison officer's account, the Chinese-Korean liaison officer demanded that the American liaison officer apologize for the incident. After the American liaison officer refused to accept responsibility and give

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the Chinese-Koreans an apology, the Chinese-Korean liaison officer "announced the immediate and indefinite suspension of the armistice conference"²⁹.

From this account, Admiral Joy concludes that the bombing had to have been a Chinese-Korean frame up. Most likely he rightly concludes that a liaison officer would not be authorized to break off negotiations. Therefore, Admiral Joy reasoned that the Chinese-Koreans must have fabricated the incident to break out of the negotiations with the moral high ground. Of course Admiral Joy's logic was dependent on the veracity of reported events between midnight and 3:00 AM. Things had to have happened exactly the way a wet, tired, frustrated, Army liaison colonel reported them. Demonstrating his extreme bias at this point, Admiral Joy does not even call his Chinese-Korean counterpart to hear his side of the story. Even without the Chinese-Korean version of events this 'straw that broke the Kaesong camel's back' leaves too many questions unanswered.

The Chinese-Korean version, as reported by both Winnington and Burchett in their memoirs³⁰ is that a bombing did occur by an American B26 bomber. These Chinese War Correspondents report that the American liaison officer unilaterally broke off the investigation. The reporters both contend that General Nam Il, the nominal head of the Chinese-Korean delegation, canceled only the one negotiation meeting scheduled for the morning after the incident. Apparently General Nam Il allegedly issued a statement concerning the incident which said, "We hope that our armistice negotiations may proceed smoothly and reach a fair and reasonable agreement acceptable to both sides..."³¹ Both

²⁹Joy, p.35

³⁰Burchett, p.166-167, Winnington, p.130-131

³¹Burchett, p.167

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Burchett and Winnington go so far as to speculate that the United States Air Force deliberately sabotaged the peace talks.

Again, I am not prepared to attribute such a diabolical maneuver to the United States Air Force. Almost any conspiracy involving more than one person will unravel over time. For the Air Force to unilaterally conduct an operation would involve multiple people at multiple levels. While theoretically possible to keep the actual mission from almost everyone, I do not believe that such conspiracy could continue in the face of such overwhelming contradictions to the present day.

Most likely is that, once again, the 'fog of war' struck. Without condemning the American liaison officer's investigation and without fully believing all of the Chinese-Korean 'facts', it is entirely possible that a bomber returning from a raid needed a place to unload his ordnance prior to returning to base and happened to drop it in North Korean territory, by happenstance in the vicinity of Kaesong. Regardless of this or any other speculation today, or back then, the result of this 'final' incident was the termination of the Kaesong negotiations.

Kaesong Negotiations III Fated, Ill Managed, or Deliberate Deceit?

Although an obvious maxim, the Kaesong negotiators seemed to have forgotten that "There is no 'win-win' solution for negotiations in war. What one side gets, the other side gives up." Additionally, regardless of how much 'face' one side tries to 'give' the other, or is willing to 'give up' in order to advance its case, the bottom line is still that what one side gets, the other side gives up. No one wants to return a 'loser' in negotiations.

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America's very ethos was that of a winner. This is a powerful statement that Americans like to believe defines their self identification as a rugged winner. Possibly more powerful is the guiding principle that the Chinese-Korean negotiators seemed to follow, "that, what proletarian armies cannot win for themselves on the battlefield, their political overlords must try to gain by wearing down the enemy negotiators at the truce table."³² This certainly seems to fit the efforts of the Chinese-Korean negotiators whose forces had been worn down by the United Nations Command overwhelming firepower. For both sides, no amount of prestige can compensate for negotiation decisions of 1951-1953 that result in a divided and horribly imbalanced country 43 years later.

Could the Kaesong negotiations have paved the way for an 'equitable' solution on the Korean peninsula? Given the conditions existing at the start of the negotiations could the outcome have been any different? Were the negotiations ill fated?, ill managed?, or just deliberate deceit and not really negotiations at all, but an attempt to gain an advantage through stall tactics?

Fate in this instance is the predetermined conditions existing prior to the initiation of the Kaesong negotiations. As pointed out earlier in this paper, Admiral Joy and his negotiation team went into deliberations firmly believing that the United States had beaten the Chinese-Koreans severely enough for them to call for a cease fire. They understood that their positions on the ground represented a tactical advantage for the United Nations Command ground forces. Furthermore, they knew that the United States navy and air force reigned supreme. They knew that these combat multipliers could be combined with

³²p.80 Military Review, Professional Journal of the US Army "A Comparison of Communist Negotiating Methods" by MAJ Robert E. Scheidig, United States Army, quoting General Mark W. Clark offering his belief that Chinese-Korean communists followed Leon Trotsky's negotiating guiding principle

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the tactical advantage of the deployment of the army on the ground to yield a possible strategic victory of Korean reunification on American terms. The American delegation also knew that world resolve was not in favor of another global war, that United Nations Command troops were worn out. China had already demonstrated its resolve to protect her borders³³.

Chinese-Korean preconditions centered around their belief that the United States had initiated peace talks and that the 38th Parallel would be an acceptable 'line' to use for the cease-fire and troop withdrawal. Chinese-Korean negotiators also 'knew' that while the United States maintained overwhelming tactical combat superiority, her strategic weakness was world and domestic public opinion in favor of ending the Korean War. The war tremendously weakened both China and North Korea. North Korea especially felt the effects of U.S. Air Force bombing. However, China and North Korea knew that prospects for a better negotiated settlement hinged on their ability and collective will to continue the fight. These allies clearly understood the very important part that real or perceived power plays in obtaining favorable results through negotiations.

The Chinese-Koreans wanted the negotiations to be a 'normalization agreement'.³⁴ They wanted to go back to a poorly defined border which would allow for future operations to unite the Peninsula on their terms. The U.S. felt that it had to win territory which facilitated the protection of the sovereignty of South Korea. These two very basic

³³ Again, as stated earlier, I do not raise the specter of nuclear war. While the United States may have on the fringes considered the use of nuclear weapons in case of catastrophic war enlargement, in the absence of Chinese or Korean documentation I will not attempt any speculation on possible Chinese-Korean reactions to such a threat.

³⁴ Ickle, p.29

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conflicting interests were magnified at least a hundred fold by the predetermined conditions and completely wrong perceptions of the two negotiating opponents. Both sides faced protracted negotiations with the uncertainty that any change in the fortunes of war might have severe impacts on any future negotiated settlement.

Regardless of the different goals of the different sides on the negotiating table, the failure of the negotiations can be traced back to the initial mindset of each team. This negotiation clearly had elements of fate, poor management, and probably some degree of deceit on both sides which stalled and ultimately ended the negotiations. Both sides made tactical and strategic errors in the negotiation. However, if either of the team had realized the enormity of their teams' collective mistakes then they might have been able to change the outcome of their ill fated negotiation.

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